

FIFTY FOURTH DAY, MARCH 6, 2015

2015 REGULAR SESSION

FIFTY FOURTH DAY**MORNING SESSION**

Senate Chamber, Olympia, Friday, March 6, 2015

The Senate was called to order at 10:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Savanna Castro and McKenna Jarrard, presented the Colors. Senator Pearson offered the prayer.

PERSONAL PRIVILEGE

Senator Dammeier: "Thank you Mr. President. I just wanted the body to know that we were all well represented by some of our colleagues and the last several hours last night at the Washington Student Leadership Forum. There was a panel that was supposed to be covered by two Representatives and two Senators but the House went much later than we did and our two Senators, Senator Steve O'Ban and Senator Christine Rolfes represented us there. They were answering questions in response to about one hundred fifty college students or two hundred college students who were down for this. All the reports are they did a tremendous job talking about public service and life in public service which is a great way to encourage these young college students to be involved in that and secondly our own Senator Jim Hargrove co-chaired the Governors prayer breakfast and was the MC this morning. Did a great job with his unique form of wit and self-deprecated humor and I did note that the Lt. Governor took a pot shot, a free shot at Senator Hargrove as well. I thought the body should know that our members are doing some great things representing the Senate in other areas beyond this chamber. Thank you Mr. President."

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Fain, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 5, 2015

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1085,
SECOND SUBSTITUTE HOUSE BILL NO. 1095,
HOUSE BILL NO. 1142,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1170,
SUBSTITUTE HOUSE BILL NO. 1238,
SUBSTITUTE HOUSE BILL NO. 1257,
HOUSE BILL NO. 1345,
SUBSTITUTE HOUSE BILL NO. 1439,
SUBSTITUTE HOUSE BILL NO. 1575,
SUBSTITUTE HOUSE BILL NO. 1576,
SUBSTITUTE HOUSE BILL NO. 1644,
HOUSE BILL NO. 1666,
SECOND SUBSTITUTE HOUSE BILL NO. 1735,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1745,
SUBSTITUTE HOUSE BILL NO. 1793,
SUBSTITUTE HOUSE BILL NO. 1813,
SUBSTITUTE HOUSE BILL NO. 1879,
SUBSTITUTE HOUSE BILL NO. 1896,
SECOND SUBSTITUTE HOUSE BILL NO. 1999,
HOUSE BILL NO. 2000,
HOUSE BILL NO. 2023.,

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 5, 2015

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1123,
SUBSTITUTE HOUSE BILL NO. 1223,
HOUSE BILL NO. 1279,
SUBSTITUTE HOUSE BILL NO. 1516,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541,

HOUSE BILL NO. 1590,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1754,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1845,
SUBSTITUTE HOUSE BILL NO. 1853,
ENGROSSED HOUSE BILL NO. 1998,
SECOND SUBSTITUTE HOUSE BILL NO. 2040.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1004 by Representatives Springer, Manweller, Moeller, Walsh, Blake, Buys, Reykdal, Wilcox, Condotta, Fey, Gregerson and Sawyer

AN ACT Relating to alcohol tasting by students under twenty-one years of age; and amending RCW 66.20.010 and 66.44.270.

Referred to Committee on Commerce & Labor.

ESHB 1078 by House Committee on Technology & Economic Development (originally sponsored by Representatives Hudgins, Morris, Robinson, Kirby, Gregerson, Stanford, Ryu, Magendanz and Pollet)

AN ACT Relating to enhancing the protection of consumer financial information; amending RCW 19.255.010 and 42.56.590; and creating a new section.

Referred to Committee on Law & Justice.

HB 1090 by Representatives Kirby, Jinkins and Rodne

AN ACT Relating to reauthorizing and expanding the financial fraud and identity theft crimes investigation and prosecution program; amending RCW 43.330.300 and 62A.9A-525; amending 2009 c 565 s 57 and 2008 c 290 s 4 (uncodified); providing an effective date; and declaring an emergency.

Referred to Committee on Law & Justice.

ESHB 1093 by House Committee on Technology & Economic Development (originally sponsored by Representatives Morris and Moeller)

AN ACT Relating to unmanned aircraft; adding a new chapter to Title 14 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

ESHB 1094 by House Committee on Technology & Economic Development (originally sponsored by Representative Morris)

AN ACT Relating to biometric identifiers; amending RCW 19.86.080; and adding a new section to chapter 19.215 RCW.

Referred to Committee on Law & Justice.

ESHB 1126 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Kagi, MacEwen, Tarleton, Walsh, Goodman, Senn, Gregerson and Ryu)

AN ACT Relating to department of early learning fatality reviews; amending RCW 43.06A.100; adding a new section to chapter 43.215 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SHB 1132 by House Committee on Health Care & Wellness (originally sponsored by Representatives Tharinger, Harris, Wylie, Van De Wege, Johnson, Lytton, Fey, Riccelli, Jinkins, Buys, Cody, Appleton, Ortiz-Self, Hayes, Gregerson and Short)

AN ACT Relating to the regulation of adult family homes; and amending RCW 70.128.060 and 70.128.120.

Referred to Committee on Health Care.

HB 1168 by Representatives Ormsby, Chandler, Sullivan and Tarleton

AN ACT Relating to correcting restrictions on collecting a pension in the public employees' retirement system for retirees returning to work in an ineligible position or a position covered by a different state retirement system; and amending RCW 41.40.037.

Referred to Committee on Ways & Means.

HB 1189 by Representatives S. Hunt, Holy, Bergquist, Johnson, Appleton and Buys

AN ACT Relating to hours of availability for inspection and copying of public records; and amending RCW 42.56.090.

Referred to Committee on Government Operations & Security.

SHB 1194 by House Committee on Labor (originally sponsored by Representatives Kirby, Holy, Van De Wege, Hayes, Stokesbary, Fitzgibbon and Bergquist)

AN ACT Relating to the death benefits of a surviving spouse of a member of the law enforcement officers' and firefighters' retirement system or the state patrol retirement system; and amending RCW 41.26.510 and 43.43.285.

Referred to Committee on Commerce & Labor.

ESHB 1236 by House Committee on Higher Education (originally sponsored by Representatives Ortiz-Self, Johnson, Santos, Lytton, Moscoso, Pettigrew, Walkinshaw, Kilduff, Sawyer, Reykdal, Bergquist, Fey, Tarleton and Hudgins)

AN ACT Relating to eliminating the parent or guardian approval requirement for the college bound scholarship pledge; amending RCW 28B.118.040; and reenacting and amending RCW 28B.118.010.

Referred to Committee on Higher Education.

2SHB 1281 by House Committee on Appropriations (originally sponsored by Representatives Sawyer, Orwall, Hurst, Blake, Stokesbary, Tarleton, Walsh, Kirby, Appleton, G. Hunt, Pettigrew, Jinkins, Carlyle, Fey, Ortiz-Self, Senn, Walkinshaw, Moeller, Kilduff, Robinson, Van De Wege, Stanford, Ryu, Lytton, Sells, Riccelli, Kagi, Bergquist, Clibborn, Santos, Buys and Gregerson)

AN ACT Relating to sexual exploitation of minors; adding new sections to chapter 9.68A RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 1282 by Representatives Zeiger, Goodman, Klippert, Orwall, Appleton, Sawyer and Gregerson

AN ACT Relating to the crime of driving while license suspended where the suspension is based on noncompliance with a child support order; amending RCW 46.20.342; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 1295 by House Committee on Education (originally sponsored by Representatives Hudgins, Magendanz, S. Hunt, Walsh, Walkinshaw, Lytton, Senn, Jinkins, Sawyer, Stokesbary, Reykdal, Robinson, McBride, Stanford, Tharinger, Bergquist, Clibborn, Pollet, Fey, Gregerson and Tarleton)

AN ACT Relating to breakfast after the bell programs in certain public schools; amending RCW 28A.150.205; adding new sections to chapter 28A.235 RCW; and creating new sections.

Referred to Committee on Early Learning & K-12 Education.

HB 1309 by Representatives Vick and Kirby

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AN ACT Relating to the sale of floating homes or floating on-water residences by brokers; and amending RCW 18.85.011 and 88.02.720.

Referred to Committee on Commerce & Labor.

SHB 1428 by House Committee on State Government (originally sponsored by Representatives Fitzgibbon, S. Hunt, Jinkins, Tarleton, Bergquist, Gregerson, Goodman and Pollet)

AN ACT Relating to extending the time period for voter registration; and amending RCW 29A.08.140.

Referred to Committee on Government Operations & Security.

HB 1431 by Representatives Bergquist, Holy and S. Hunt

AN ACT Relating to modifying exemptions relating to real estate appraisals; and amending RCW 42.56.260.

Referred to Committee on Government Operations & Security.

2SHB 1436 by House Committee on Appropriations (originally sponsored by Representatives Kagi, Zeiger, Robinson, Walsh, Walkinshaw, Pettigrew, Senn, Johnson, Orwall, Ortiz-Self, Reykdal, Carlyle, Gregerson, Appleton, Fitzgibbon, Ormsby, Clibborn, Jinkins, Bergquist, Goodman, McBride, Pollet, Riccelli and Kilduff)

AN ACT Relating to homeless youth prevention and protection; amending RCW 13.32A.042, 13.32A.044, 13.32A.050, 13.32A.090, 13.32A.095, 13.32A.130, 74.13.032, 74.13.033, 74.13.034, 74.15.220, 74.15.225, and 43.330.167; reenacting and amending RCW 43.185C.010, 13.32A.060, and 13.32A.065; adding new sections to chapter 43.185C RCW; adding new sections to chapter 43.330 RCW; creating new sections; and recodifying RCW 13.32A.042, 13.32A.044, 13.32A.050, 13.32A.060, 13.32A.065, 13.32A.070, 13.32A.090, 13.32A.095, 13.32A.130, 74.13.032, 74.13.0321, 74.13.033, 74.13.034, 74.15.220, 74.15.225, 74.15.260, and 74.15.270.

Referred to Committee on Human Services, Mental Health & Housing.

ESHB 1440 by House Committee on Public Safety (originally sponsored by Representatives Taylor, Goodman, Pollet, Scott, Condotta, Shea, G. Hunt, Young, Moscoso, Smith, Ryu, Jinkins, Magendanz, Farrell and McCaslin)

AN ACT Relating to prohibiting the use of a cell site simulator device without a warrant; amending RCW 9.73.260; adding a new section to chapter 9.73 RCW; and declaring an emergency.

Referred to Committee on Law & Justice.

SHB 1511 by House Committee on Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Ortiz-Self, Hurst, Appleton, Stokesbary, Goodman, Reykdal, Moscoso, Rodne, Pollet, Magendanz,

Zeiger, Johnson, Tharinger, Tarleton, Fitzgibbon, Van De Wege, Santos, Wylie, Ormsby, Walkinshaw, Gregerson and Farrell)

AN ACT Relating to teaching Washington's tribal history, culture, and government in the common schools; amending RCW 28A.320.170; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

HB 1512 by Representatives Sells, Hayes, Moscoso and Ormsby

AN ACT Relating to fairness in disciplinary actions of peace officers who appear on a prosecuting attorney's potential impeachment list; adding a new section to chapter 10.93 RCW; and creating a new section.

Referred to Committee on Law & Justice.

HB 1532 by Representatives Smith, Stanford, DeBolt, Riccelli and Tarleton

AN ACT Relating to capital design and construction for institutions of higher education; and amending RCW 43.88.030.

Referred to Committee on Ways & Means.

SHB 1562 by House Committee on Education (originally sponsored by Representatives Sullivan, Tarleton and Orwall)

AN ACT Relating to allergen information in schools; and adding a new chapter to Title 28A RCW.

Referred to Committee on Early Learning & K-12 Education.

SHB 1610 by House Committee on Judiciary (originally sponsored by Representatives McCaslin, Riccelli, Rodne, Orwall, Holy, Stokesbary, G. Hunt, Taylor and Shea)

AN ACT Relating to jury service; and amending RCW 2.36.010, 2.36.100, and 2.36.080.

Referred to Committee on Law & Justice.

EHB 1633 by Representatives Zeiger, Jinkins, Young, Fey, Appleton, Hargrove, Sawyer, Walsh, Stanford, Johnson, Riccelli, Kochmar, Muri, Pollet, Kagi and Wylie

AN ACT Relating to giving preferences to housing trust fund projects that involve collaboration between local school districts and housing authorities or nonprofit housing providers to help children of low-income families succeed in school; amending RCW 43.185.070 and 43.185.070; providing an effective date; and providing an expiration date.

Referred to Committee on Human Services, Mental Health & Housing.

ESHB 1639 by House Committee on Public Safety (originally sponsored by Representatives Taylor, Goodman, Morris, Shea, Walkinshaw, Smith, Ryu, Appleton, Condotta, Moscoso, Kagi, Muri, Young, Scott, Schmick, G. Hunt and Farrell)

AN ACT Relating to technology-enhanced government surveillance; adding new sections to chapter 9.73 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 1667 by House Committee on Appropriations (originally sponsored by Representatives Cody, Jinkins, Robinson and Tharinger)

AN ACT Relating to identifying evidence-based best practices for the treatment and management of bleeding disorders to improve patient quality of life and identify cost reductions; adding a new section to chapter 41.05 RCW; and creating new sections.

Referred to Committee on Ways & Means.

SHB 1696 by House Committee on Higher Education (originally sponsored by Representative Haler)

AN ACT Relating to modifying provisions related to tuition setting authority at public institutions of higher education; amending RCW 28B.15.031, 28B.15.067, and 28B.15.102; and repealing RCW 28B.15.068 and 28B.15.101.

Referred to Committee on Higher Education.

SHB 1727 by House Committee on Health Care & Wellness (originally sponsored by Representatives Schmick, Cody and Short)

AN ACT Relating to permitting nursing assistants to perform simple care tasks under indirect supervision; and amending RCW 18.88A.020.

Referred to Committee on Health Care.

SHB 1783 by House Committee on Appropriations (originally sponsored by Representatives Ortiz-Self, Walkinshaw, Bergquist, Moscoso, Hudgins, Pollet and Santos)

AN ACT Relating to expanding dual language and bilingual instruction for early learners through secondary students; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.410 RCW; and creating new sections.

Referred to Committee on Early Learning & K-12 Education.

HB 1865 by Representatives Magendanz, Ortiz-Self, McCaslin, Hayes and Pollet

AN ACT Relating to visual screening in schools; and amending RCW 28A.210.020.

Referred to Committee on Early Learning & K-12 Education.

EHB 1868 by Representatives Lytton and Morris

AN ACT Relating to county road fund purposes for certain counties; and amending RCW 36.82.070.

Referred to Committee on Transportation.

ESHB 1875 by House Committee on Appropriations (originally sponsored by Representatives Walsh, Kagi, Johnson,

Sawyer, Pettigrew, Moscoso, Zeiger, Ormsby, Appleton and Young)

AN ACT Relating to the definition of work activity for the purposes of the WorkFirst program; and amending RCW 74.08A.250 and 74.08A.341.

Referred to Committee on Human Services, Mental Health & Housing.

HB 2007 by Representatives Zeiger, Sullivan, Stambaugh, Van De Wege, Riccelli and Ormsby

AN ACT Relating to reimbursement to eligible providers for medicaid ground emergency medical transportation services; and adding new sections to chapter 41.05 RCW.

Referred to Committee on Ways & Means.

SHB 2021 by House Committee on Health Care & Wellness (originally sponsored by Representatives Riccelli, Parker, Cody, Holy, Ormsby and Muri)

AN ACT Relating to the prescription drug assistance foundation; and amending RCW 41.05.550.

Referred to Committee on Health Care.

HB 2033 by Representatives Goodman, Rodne, Orwall, Jinkins, Griffey, Fey, Pollet and Ormsby

AN ACT Relating to sexual assault protection orders; and amending RCW 7.90.120 and 7.90.121.

Referred to Committee on Law & Justice.

E2SHB 2060 by House Committee on Appropriations (originally sponsored by Representatives Jinkins and Ormsby)

AN ACT Relating to timeliness of competency evaluation and restoration services; amending RCW 10.77.068, 10.77.073, 10.77.086, 10.77.088, 10.77.220, 71.05.235, and 10.77.065; reenacting and amending RCW 10.77.065; creating a new section; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Human Services, Mental Health & Housing.

MOTION

On motion of Senator Fain, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of House Bill No. 1282 which was referred to the Committee on Law & Justice.

MOTION

On motion of Senator Fain, the Senate advanced to the eighth order of business.

MOTION

Senator Kohl-Welles moved adoption of the following resolution:

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SENATE RESOLUTION
8631

2015 REGULAR SESSION

By Senators Kohl-Welles, Chase, McAuliffe, Cleveland, Hill, Bailey, Benton, Roach, Litzow, Brown, Frockt, Darneille, Keiser, Fraser, Parlette, Nelson, Billig, King, Habib, Fain, Lias, McCoy, Angel, Rolfes, Jayapal, Pedersen, Conway, Warnick, Rivers, and Dammeier

WHEREAS, Throughout history women have strived to gain equality, and the Senate recognizes that struggle and honors the determination of women to be given equal stature in our society; and

WHEREAS, In their work to gain equality, women and girls have shown great strength, motivation, discipline, and leadership in their athletic accomplishments, using athletic programs not only to highlight women's and girls' outstanding athletic talents, but also to assist them in gaining life skills that can be used in their careers; and

WHEREAS, Athletics are an important tool to teach communication, teamwork, dedication, cooperation, and patience, and with this experience, women become more successful leaders and citizens throughout Washington State; and

WHEREAS, We encourage the people of our state to give women and girls equal respect and representation throughout media outlets in order to celebrate their exceptional athletic performance; and

WHEREAS, At a young age, there are many girls who have outstanding athletic ability, and in Washington, there are many high schools that develop those exceptional qualities of young women athletes, including state basketball champions Gonzaga Preparatory School, Cleveland High School, W.F. West High School, Lynden Christian High School, Colfax High School, and Colton High School; state wrestling champion Warden High School; state golf champions Bellarmine Preparatory School, Mt. Spokane High School, Bellingham High School, King's High School, and St. George's School; state track and field champions Federal Way High School, Kamiakin High School, Sehome High School, King's High School, Colfax High School, and Mount Vernon Christian School; state softball champions Puyallup High School, Kamiakin High School, Lake Washington High School, Elma High School, Toutle Lake High School, and Colton High School; state tennis champions Garfield High School, Mercer Island High School, Sehome High School, and Forest Ridge School; state cross country champions Camas High School, Holy Names Academy, Sehome High School, Lakeside School, and Northwest Christian High School; volleyball state champions Bellarmine Preparatory School, Auburn Riverside High School, Tumwater High School, Lynden Christian High School, Colfax High School, and Pomeroy High School; state soccer champions Central Valley High School, Edmonds-Woodway High School, Squalicum High School, Klahowya Secondary School, and Crosspoint Academy; state cheer champions Juanita High School, Union High School, Selah High School, Kentwood High School, Hockinson High School, Bethel High School, Meadowdale High School, Skyline High School, and Richland High School; state bowling champions Battle Ground High

School, Wilson High School, and Bremerton High School; state gymnastics champions Woodinville High School and Kamiakin High School; state dance and drill champions Eastlake High School, Moses Lake High School, Pasco High School, Decatur High School, Tumwater High School, Hanford High School, Lake Washington High School, Hazen High School, Capital High School, and Montesano High School; and

WHEREAS, There are also a large number of exceptional athletes in our higher education programs that show great commitment and character throughout collegiate athletics; and

WHEREAS, At Seattle University, the women's cross country team won the 2014 Western Athletic Conference Women's Cross Country Championship, which was the Redhawk's first Division I conference title in the history of the school's cross country program; the women's rowing team's Novice 8+ boat, in only their second year as a Division I team, finished second at the Western Intercollegiate Rowing Association Championships; the women's tennis program earned their first spots at the United States Tennis Association/Intercollegiate Tennis Association Women's Northwest Regional Championships since the rebirth of the school's tennis program six years ago; Joan Bonvincini is one of the winningest coaches in Division I women's basketball history, nearing 700 wins; Dorsey Addicks, a member of the golf team, qualified for the United States Women's Amateur Championship; women's soccer defeated Washington State University in the first round of the NCAA Tournament, marking the team's first ever Division I tournament postseason win; and Stephanie Verdoia, women's soccer senior captain, received a number of national awards, including Academic All-American of the Year for Division I women's soccer, the Senior CLASS Award, and selection by Third-Team All-America, and was recently drafted by the National Women's Soccer League's Boston Breakers; and

WHEREAS, At Western Washington University, track and field members Bethany Drake and Katie Reichert placed one-two in the women's javelin at the NCAA Division II National Track & Field Championships; Carmen Dolfo's team won the 500th game of her 24-year career and became the first women's basketball coach in the Pacific Northwest to achieve that distinction at a four-year university; Katelyn Steen of the women's cross country team finished fifth at the Women's Cross Country Nationals and captured both the Great Northwest Athletic Conference and NCAA Division II West Regional individual titles in cross country; women's soccer defender Brianna Jones was named to three All-America teams; Kim Cooper of the soccer team was named the 2014 Great Northwest Athletic Conference Defensive Player of the Year; volleyball team member Samantha Hutchinson was named an American Volleyball Coaches Association All-American and Great Northwest Athletic Conference Defensive Player of the Year, for the third straight season for both; the Vikings rowing team won the varsity four race at nationals and Emily Little of the rowing team was named a Collegiate Rowing Coaches Association Pocock All-American; women's softball player Alexie Levin was honored with the Great Northwest Athletic Conference Player of the Year award; and

golf player Kristen Hansen was named Great Northwest Athletic Conference Player of the Year and competed at regionals; and

WHEREAS, At the University of Puget Sound, the women's soccer team won its 13th consecutive Northwest Conference title and returned to the Division III NCAA Tournament; soccer player Amalia Acorda-Fey was named Northwest Conference Offensive Player of the Year and was a member of the All-NWC First Team and National Soccer Coaches Association of America All-West Region First Team; women's track and field player Allanah Whitehall qualified to race in the 2014 Division III NCAA Championship and was a member of the winning relay team at the Northwest Conference Championships; women's basketball player Amanda Forshay was one of ten NCAA Division III women's basketball players selected to travel throughout Brazil to compete against the country's top club teams, was named to the All-NWC First Team, and was the Pacific Northwest Tournament MVP with the Loggers' victory in that tournament; and Melissa Norish of the women's swimming team was named Northwest Conference Swimmer of the Year; and

WHEREAS, At the University of Washington, the women's basketball team won 11 straight games for the first time since 1990 and made two straight wins over top 5 teams; the women's golf team ended the fall season ranked number 1 in the nation; Soo-Bin Kim of the golf team ended the fall season as the number 1 ranked individual collegiate golfer and went on to earn her Ladies Professional Golf Association Tour Card; Freshman Jing Yan of the golf team won her second collegiate tournament, earned partial Ladies Professional Golf Association status, and turned pro; the women's softball team advanced to Super Regionals for the seventh consecutive year; Victoria Hayward, Hooch Fagaly, and Kylee Lahners were selected as National Fastpitch Coaches Association All-American Players; Megan Kufeld of the women's soccer team was named to the Capital One Academic All-American third team; and volleyball player Krista Vansant was named the Academic All-American Player of the Year and won the Honda Award for the National Player of the Year for the second year in a row; and

WHEREAS, At Pacific Lutheran University, women's basketball and track and field player Samantha Potter was named the Northwest Conference Female Athlete of the Year; the women's volleyball and swimming teams were Northwest Conference champions; and sixty-three female student athletes were named Northwest Conference Scholar Athletes for their outstanding academic achievements; and

WHEREAS, At Whitworth University, the women's volleyball team was Northwest Conference Champions and appeared in the NCAA Division III tournament for the sixth time in school history; volleyball player Maddye Dismore was named the Northwest Conference Player of the Year and was named to the First-Team All-West Region team by the American Volleyball Coaches Association; volleyball coach Kati Bodecker was named Northwest Conference Coach of the Year; the women's basketball team continued as the Northwest Conference tournament champions; basketball player Kayla Johnson was selected to the 2014 Division III Coaches' All-American Team by the Women's Basketball Coaches Association; cross country

team members Amanda Blankenship, Kellyn Roiko, Kristen Schoenike, and Jess Arnzen all earned NCAA Division III All-West Region honors; Jackie Beal of the women's swimming team qualified and competed in the NCAA Division III Swimming and Diving Championship; and track and field team members Kerry Wright, Dakota Klamovich, and Courtney Fairhart earned outdoor All-American Honors in javelin, hammer throw, and discus; and

WHEREAS, At Seattle Pacific University, women's gymnast Maria Hundley won three national championships including a gold medal for the vault, uneven bars, and balance beam; gymnast Kai Tindall won the floor exercise national championship in women's gymnastics; track and field member McKayla Frickner was the 900-meter champion at the NCAA Division II Track and Field Championship; the women's soccer team won its second straight Great Northwest Athletic Conference Tournament Championship; and soccer team member Isabel Farrell was voted the 2014 Great Northwest Athletic Conference Player of the Year and received Second-Team All-American honors; and

WHEREAS, At Eastern Washington University, women's basketball players Haley Hodgins, Melissa Williams, Jade Redmond, Lexie Nelson, Aubry Ashenfelter, Marly Anderson, Bethany Montgomery, Hanna Mack, and Kylie Huerta all received Big Sky All-Academic Team honors; Haley Hodgins also received the Frances B. Huston Medallion and the All-Big Sky honorable mention; Lexie Nelson received All-Big Sky First Team honors; women's cross country members Lauren Brewington, Acacia Smith, Brittney Swanson, Paula Gil-Echevarria, Mayra Chavez, Katie Lynch, Amber Core, Michaela Chukka, and Rachel Hatcher all received Big Sky All-Academic Team honors; women's soccer players Cassie Black, Briann Brannan, Siara Byers, Katie Cashman, Caitlin Hepworth, Jackie Rodger, Nathalie Schwery, Torri Sitzman, Haley Stading, Kayla Sutter, Jessica Wallace, Shayla Weiler, Ua Ruedy, Sheridan Becanic, Hailie McClure, Katy Allen, and Nicole Medeirosall received Big Sky All-Academic Team honors; women's soccer player Cassie Black earned preseason All-Big Sky Second Team honors from College Sports Madness and received All-Big Sky First Team honors; and soccer player Chloe Williams received All-Big Sky First Team honors and earned All-Big Sky Second Team honors from College Sports Madness; and

WHEREAS, At Washington State University, rowing team member Nicole Hare was awarded a place on the 2014 Pocock All-American Second Team and All-Pac-12 Conference First Team; women's track and field team member Charolette Muschamp was the Pacific-12 Conference Women's High Jump Champion; soccer player Jordan Branch was a part of the Pac-12 Conference All-Freshman Team; tennis player Elizaveta Luzina was awarded the Intercollegiate Tennis Association Northwest Region 2014 Cissie Leary Award for Sportsmanship; the soccer team reached the NCAA Championship for the fourth straight season; the women's basketball team reached the Pacific-12 Tournament semifinal round for the second time in the last three years and was selected for the Women's National Invitation tournament; swimmers Emma Johansson, Alison Mand, Shaya Schaedler, and Presley Wetterstorm were Pacific-12

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All-Academic First Team members; women's track and field senior Ruby Roberts set school record times in the 5,000 meter and 3,000 meter events, and was named to the 2014 Capital One All-Academic District 8 Women's Cross Country/Track & Field Team presented by the College Sports Information Directors of America; cross country runner Abby Regan finished ninth at the Pacific-12 Cross Country Championships; and head tennis coach Lisa Hart had her 141st win at Washington State University, giving her the most coaching wins in the university's tennis history; and

WHEREAS, At The Evergreen State College, volleyball player Kelsey Delagrange was a National Association of Intercollegiate Athletics Scholar-Athlete for the 2014 season; three players on the women's basketball team combined won five Cascade Collegiate Conference Player of the Week awards; and the college will host a women's basketball conference playoff game for the first time in program history; and

WHEREAS, At Central Washington University, volleyball player Catie Fry was given the American Volleyball Coaches Association All-American, Great Northwest Athletic Conference All-Conference, All-West Region, and Academic All-Conference awards; volleyball player Linden Firethorne was named All-GNAC by the Great Northwest Athletic Conference; cross country runner Dani Eggleston and Megan Rogers both received awards for All-Region and Academic All-Conference; cross country runner Connie Morgan was given the All-American, All-Region, and Academic All-Conference awards; women's soccer player Mackenzie Nottle was given the All-West Region and All-GNAC award; soccer player Hadli Farrand was given the All-GNAC and Academic All-Conference awards; the women's cross country team finished 18th in the nation during their 2014 season; and the women's volleyball team made it to the NCAA Division II West Regional Tournament; and

WHEREAS, The Senate would like to honor professional women's teams throughout our state and their great accomplishments; and

WHEREAS, The Oly Rollers are currently the reigning USA Roller Sports regional and national champions in roller derby; are ranked number 20 out of 700 teams worldwide in the Women's Flat Track Derby Association; and are not only outstanding athletes but, as mothers, sisters, and aunts, are also role models to young women athletes—one of the player's daughters, Gabby Lewis, is an active hockey and volleyball player, ballet and hip-hop dancer, speed skater, and football participant; another daughter of a player, Kaylee Logan, is a 4.0 student at Yelm Middle School, a player in the Ladies World Rink Hockey Team, which won nationals in 2014, and is now a part of the USA Team; and another daughter of a player, Gabriella Charneski, is an 11 year old attending St. Michael School in Olympia, and won national titles in 2014 in the U12 and U10 division of roller hockey; and

WHEREAS, The Rat City Rollers All-Star team fought its way through to the Women's Flat Track Derby Association Championships and finished 16th in the world; had a member of the team, Lacey Ramon, on Team USA at the Roller Derby World Cup; and has members of the organization who coach several

roller derby teams and support over ten charities every month; and

WHEREAS, The Everett Reign made the playoffs in their second season and had eight All-American players; had player Courtney Curdy be a runner-up for the Women's Football Association Rookie of the Year award and nominee as a Women's Football Association All-American; and has player Brooklyn Holton also in training with the USA Women's bobsled team; and

WHEREAS, The Seattle Reign went their first 16 games of the 2014 season unbeaten, setting a new league record; received the National Women's Soccer League Shield, which is awarded to the team with the best record at the end of the regular season, and advanced to the National Women's Soccer League Championship game; had head coach and general manager Laura Harvey named National Women's Soccer League Coach of the Year; had player Kim Little awarded the Golden Boot, given to the player who scores the most goals during the regular season, and named the National Women's Soccer League's Most Valuable Player; had players Kendall Fletcher, Jess Fishlock, and Nahomi Kawasumi nominated for the National Women's Soccer League Best XI team; and had players Hope Solo, Lauren Barnes, and Stephanie Cox named to the Second XI team; and

WHEREAS, The Seattle Majestics made it to the third round of playoffs in the 2014 season and took home two major league awards, the Owners of the Year award, to team owners Scott and Shanna McCaron, and the Rookie of the Year award, to player Toakase Tukutau; and

WHEREAS, The Seattle Storm played the franchise's 15th season in 2014, with Sue Bird, who is known as the best point guard in the world, playing her 13th season with the Women's National Basketball Association, and Temeka Johnson recording a triple-double—the only active Women's National Basketball Association player to do so since 2005; and

WHEREAS, While not every women athlete wins championships or trophies, every athlete gives it their all, and we honor their exceptional performance;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and recognize women athletes as a vital part of our state on March 6, 2015, noting that these women, with their outstanding athletic ability and academic achievements, are an indispensable part of making this state such a wonderful place to live; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Secretary of the Senate to all of the aforementioned athletes and their respective institutions.

Senators Kohl-Welles, Warnick, Chase, Frockt, McAuliffe, Fraser and Roach spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8631.

The motion by Senator Kohl-Welles carried and the resolution was adopted by voice vote.

PERSONAL PRIVILEGE

Senator Ranker: "Thank you Mr. President. I'm very pleased that the resolution passed this body. It's such an important resolution. My little girl is six, Elsa and she's an incredible soccer player but i received a text from my wife

yesterday morning that I just wanted to share with the body if I may, it's a bit of audio here. The other thing my six years old is doing is taking her first piano lessons. So, this is Elsa yesterday (playing audio). Now, how's that for a six year old."

INTRODUCTION OF SPECIAL GUESTS

The President welcomed women in sports who were seated in the gallery.

MOTION

On motion of Senator Fain, the Senate reverted to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Bailey moved that Carol L. McVicker, Gubernatorial Appointment No. 9111, be confirmed as a member of the State Board for Community and Technical Colleges.

Senators Bailey, Billig and Padden spoke in favor of passage of the motion.

APPOINTMENT OF CAROL L. MCVICKER

The President declared the question before the Senate to be the confirmation of Carol L. McVicker, Gubernatorial Appointment No. 9111, as a member of the State Board for Community and Technical Colleges.

The Secretary called the roll on the confirmation of Carol L. McVicker, Gubernatorial Appointment No. 9111, as a member of the State Board for Community and Technical Colleges and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Carol L. McVicker, Gubernatorial Appointment No. 9111, having received the constitutional majority was declared confirmed as a member of the State Board for Community and Technical Colleges.

SECOND READING

SENATE BILL NO. 5620, by Senators Bailey, Kohl-Welles, Frockt, Schoesler and Conway

Authorizing waivers of building fees and services and activities fees for certain military service members.

The measure was read the second time.

MOTION

On motion of Senator Bailey, the rules were suspended, Senate Bill No. 5620 was advanced to third reading, the second

reading considered the third and the bill was placed on final passage.

Senators Bailey and Kohl-Welles spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5620.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5620 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

SENATE BILL NO. 5620, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5471, by Senators Angel, Mullet, Litzow and Hobbs

Addressing electronic notices and document delivery of insurance products.

The measure was read the second time.

MOTION

Senator Angel moved that the following striking amendment by Senators Angel, Benton and Mullet be adopted:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** The definitions in this subsection apply throughout this chapter unless the context clearly requires otherwise.

(1)(a)(i) "Delivered by electronic means" includes:

(A) Delivery to an electronic mail address at which a party has consented to receive notices or documents; or

(B) Posting on an electronic network or site accessible via the internet, mobile application, computer, mobile device, tablet, or any other electronic device, together with separate notice of the posting which shall be provided by electronic mail to the address at which the party has consented to receive notice or by any other delivery method that has been consented to by the party.

(ii) "Delivered by electronic means" does not include any communication between an insurer and an insurance producer relating to RCW 48.17.591 and 48.17.595.

(b) "Party" means any recipient of any notice or document required as part of an insurance transaction, including but not limited to an applicant, an insured, a policyholder, or an annuity contract holder.

(2) Subject to the requirements of this section, any notice to a party or any other document required under applicable law in an insurance transaction or that is to serve as evidence of insurance coverage may be delivered, stored, and presented by electronic means so long as it meets the requirements of the Washington electronic authentication act (chapter 19.34 RCW).

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(3) Delivery of a notice or document in accordance with this section is the equivalent to any delivery method required under applicable law, including delivery by first-class mail; first-class mail, postage prepaid; certified mail; or registered mail.

(4) A notice or document may be delivered by an insurer to a party by electronic means under this section only if:

(a) The party has affirmatively consented to that method of delivery and has not withdrawn the consent;

(b) The party, before giving consent, has been provided with a clear and conspicuous statement informing the party of:

(i) The right the party has to withdraw consent to have a notice or document delivered by electronic means at any time, and any conditions or consequences imposed in the event consent is withdrawn;

(ii) The types of notices and documents to which the party's consent would apply;

(iii) The right of a party to have a notice or document; and

(iv) The procedures a party must follow to withdraw consent to have a notice or document delivered by electronic means and to update the party's electronic mail address;

(c) The party:

(i) Before giving consent, has been provided with a statement of the hardware and software requirements for access to and retention of notices or documents delivered by electronic means; and

(ii) Consents electronically, or confirms consent electronically, in a manner that reasonably demonstrates that the party can access information in the electronic form that will be used for notices or documents delivered by electronic means as to which the party has given consent; and

(d) After consent of the party is given, the insurer, in the event a change in the hardware or software requirements needed to access or retain a notice or document delivered by electronic means creates a material risk that the party will not be able to access or retain a subsequent notice or document to which the consent applies:

(i) Shall provide the party with a statement that describes:

(A) The revised hardware and software requirements for access to and retention of a notice or document delivered by electronic means; and

(B) The right of the party to withdraw consent without the imposition of any fee, condition, or consequence that was not disclosed at the time of initial consent; and

(ii) Complies with (b) of this subsection.

(5) This section does not affect requirements related to content or timing of any notice or document required under applicable law.

(6) If this title or applicable law requiring a notice or document to be provided to a party expressly requires verification or acknowledgment of receipt of the notice or document, the notice or document may be delivered by electronic means only if the method used provides for verification or acknowledgment of receipt.

(7) The legal effectiveness, validity, or enforceability of any contract or policy of insurance executed by a party may not be denied solely because of the failure to obtain electronic consent or confirmation of consent of the party in accordance with subsection (4)(c)(ii) of this section.

(8)(a) A withdrawal of consent by a party does not affect the legal effectiveness, validity, or enforceability of a notice or document delivered by electronic means to the party before the withdrawal of consent is effective.

(b) A withdrawal of consent by a party is effective within a reasonable period of time, not to exceed thirty days, after receipt of the withdrawal by the insurer.

(c) Failure by an insurer to comply with subsections (4)(d) and (10) of this section may be treated, at the election of the party, as a withdrawal of consent for purposes of this section.

(9) This section does not apply to a notice or document delivered by an insurer in an electronic form before the effective date of this section to a party who, before that date, has consented to receive a notice or document in an electronic form otherwise allowed by law.

(10) If the consent of a party to receive certain notices or documents in an electronic form is on file with an insurer before the effective date of this section, and pursuant to this section, an insurer intends to deliver additional notices or documents to such party in an electronic form, then prior to delivering such additional notices or documents electronically, the insurer shall:

(a) Provide the party with a statement that describes:

(i) The notices or documents that shall be delivered by electronic means under this section that were not previously delivered electronically; and

(ii) The party's right to withdraw consent to have notices or documents delivered by electronic means, without the imposition of any condition or consequence that was not disclosed at the time of initial consent; and

(b) Comply with subsection (4)(b) of this section.

(11) An insurer shall deliver a notice or document by any other delivery method permitted by law other than electronic means if:

(a) The insurer attempts to deliver the notice or document by electronic means and has a reasonable basis for believing that the notice or document has not been received by the party; or

(b) The insurer becomes aware that the electronic mail address provided by the party is no longer valid.

(12) A producer shall not be subject to civil liability for any harm or injury that occurs as a result of a party's election to receive any notice or document by electronic means or by an insurer's failure to deliver a notice or document by electronic means.

(13) This section does not modify, limit, or supersede the provisions of the federal electronic signatures in global and national commerce act (E-SIGN), P.L. 106-229, as amended.

NEW SECTION. Sec. 2. (1) Notwithstanding any other provisions of this chapter, standard property and casualty insurance policy forms and endorsements that do not contain personally identifiable information may be mailed, delivered, or posted on the insurer's web site. If the insurer elects to post insurance policy forms and endorsements on its web site in lieu of mailing or delivering them to the insured, it must comply with all of the following conditions:

(a) The policy forms and endorsements must be accessible to the insured and the producer of record and remain that way for as long as the policy is in force;

(b) After the expiration of the policy, the insurer must archive its expired policy forms and endorsements for a period of six years or other period required by law, and make them available upon request;

(c) The policy forms and endorsements must be posted in a manner that enables the insured and producer of record to print and save the policy form and endorsements using programs or applications that are widely available on the internet and free to use;

(d) The insurer must provide the following information in, or simultaneous with, each declarations page provided at the time of issuance of the initial policy and any renewals of that policy:

(i) A description of the exact policy and endorsement forms purchased by the insured;

(ii) A description of the insured's right to receive, upon request and without charge, a paper copy of the policy and endorsements by mail;

(iii) The internet address where their policy and endorsements are posted;

(iv) Notice of the insured's right, upon request and without charge, to receive a paper copy of the insured's policy and endorsements by mail; and

(v) Notice, in the manner in which the insurer customarily communicates with the insured, of any changes to the forms or endorsements, the insured's right to obtain, upon request and without charge, a paper copy of such forms or endorsements, and the internet address where such forms or endorsements are posted.

(2) Nothing in this section affects the timing or content of any disclosure or other document required to be provided or made available to any insured under applicable law.

NEW SECTION. Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 4. Sections 1 and 2 of this act constitute a new chapter in Title 48 RCW."

Senators Angel and Mullet spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Angel, Benton and Mullet to Senate Bill No. 5471.

The motion by Senator Angel carried and the striking amendment was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "products;" strike the remainder of the title and insert "and adding a new chapter to Title 48 RCW."

MOTION

On motion of Senator Angel, the rules were suspended, Engrossed Senate Bill No. 5471 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Angel spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5471.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5471 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dandel, Darneille, Erickson, Fain, Fraser, Frockt, Habib, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Voting nay: Senator Hargrove

ENGROSSED SENATE BILL NO. 5471, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5343, by Senators Hasegawa, King, Jayapal, Chase, Rolfes, Keiser, Darneille and Conway

Concerning parking impact mitigation from regional transit authority facility construction.

MOTION

On motion of Senator Hasegawa, Substitute Senate Bill No. 5343 was substituted for Senate Bill No. 5343 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hasegawa moved that the following amendment by Senators Hasegawa and King be adopted:

On page 1, line 17, after "for" strike "low-income"

On page 1, line 19, after "for" strike "low-income"

Senator Hasegawa spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators Hasegawa and King on page 1, line 17 to Substitute Senate Bill No. 5343.

The motion by Senator Hasegawa carried and the amendment was adopted by voice vote.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Engrossed Substitute Senate Bill No. 5343 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa, King, Hobbs and Jayapal spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5343.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5343 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dandel, Darneille, Erickson, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

ENGROSSED SUBSTITUTE SENATE BILL NO. 5343, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

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SENATE BILL NO. 5022, by Senators Angel, Liias and Rolfes

Providing fee immunity for certain city, town, and county water facilities.

MOTIONS

On motion of Senator Angel, Substitute Senate Bill No. 5022 was substituted for Senate Bill No. 5022 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Angel, the rules were suspended, Substitute Senate Bill No. 5022 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Angel and Liias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5022.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5022 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Dansel, Ericksen, Fain, Hatfield, Hewitt, Hill, Honeyford, Keiser, King, Liias, Litzow, Miloscia, Mullet, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Voting nay: Senators Brown, Chase, Cleveland, Conway, Dammeier, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Kohl-Welles, McAuliffe, McCoy, Nelson, O'Ban, Padden and Pedersen

SUBSTITUTE SENATE BILL NO. 5022, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Hobbs, Senator Keiser was excused.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced University of Washington President, Ana Mari Cauce who was seated in the gallery.

SECOND READING

SENATE BILL NO. 5873, by Senators Conway, Bailey, Schoesler and Kohl-Welles

Permitting persons retired from the law enforcement officers' and firefighters' retirement system plan 1 to select a survivor benefit option.

The measure was read the second time.

MOTION

Senator Kohl-Welles moved that the following amendment by Senator Kohl-Welles be adopted:

On page 2, after line 15, insert

(c) A deceased member's spouse who was eligible to be provided a survivor benefit under RCW 41.26.164(1) but the member did not select a survivor benefit, and who prior to March 1, 2015, exhausted all administrative remedies with the department for establishing eligibility for a benefit under RCW 41.26.164, is eligible beginning August 1, 2015, for a retirement allowance equal to two-thirds of the gross monthly retirement allowance the retired member received at the time of death.

Senator Kohl-Welles spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Kohl-Welles on page 2, after line 15 to Senate Bill No. 5873.

The motion by Senator Kohl-Welles carried and the amendment was adopted by voice vote.

MOTION

On motion of Senator Conway, the rules were suspended, Engrossed Senate Bill No. 5873 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5873.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5873 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

ENGROSSED SENATE BILL NO. 5873, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5897, by Senators Cleveland, Darneille, McAuliffe, Kohl-Welles and Chase

Requiring costs for the examination of a suspected victim of assault of a child to be paid by the state. Revised for 1st Substitute: Concerning funding for medical evaluations of suspected victims of child abuse.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5897 was substituted for Senate Bill No. 5897 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5897 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5897.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5897 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

SUBSTITUTE SENATE BILL NO. 5897, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5295, by Senators Kohl-Welles, Bailey, Liias, Becker, Frockt, Miloscia and Chase

Concerning the display of campus information on the statewide public four-year dashboard.

The measure was read the second time.

MOTION

On motion of Senator Kohl-Welles, the rules were suspended, Senate Bill No. 5295 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kohl-Welles and Bailey spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5295.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5295 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

SENATE BILL NO. 5295, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Habib, Senators Frockt and Rolfes were excused.

SECOND READING

SENATE BILL NO. 5640, by Senator Ericksen

Concerning deficiency claims after auction of a private property vehicle impound. Revised for 1st Substitute: Concerning the limitation on towing and storage deficiency claims after auction of a private property vehicle impound.

MOTIONS

On motion of Senator Ericksen, Substitute Senate Bill No. 5640 was substituted for Senate Bill No. 5640 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Ericksen, the rules were suspended, Substitute Senate Bill No. 5640 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Ericksen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5640.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5640 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 16; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Frockt, Hargrove, Hatfield, Hewitt, Hill, Hobbs, Honeyford, King, Liias, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Schoesler, Sheldon and Warnick

Voting nay: Senators Chase, Cleveland, Conway, Darneille, Fraser, Habib, Hasegawa, Jayapal, Keiser, Kohl-Welles, McAuliffe, McCoy, Mullet, Nelson, Pedersen and Rolfes
SUBSTITUTE SENATE BILL NO. 5640, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5804, by Senators Liias, Benton, Hasegawa, Dammeier and Angel

Modifying the procedure for adoption and amendment of the Washington state energy code.

MOTION

On motion of Senator Liias, Substitute Senate Bill No. 5804 was substituted for Senate Bill No. 5804 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Liias moved that the following amendment by Senators Liias and Roach be adopted:

On page 4, beginning on line 14, after "a" strike "two or"

On page 4, at the beginning of line 16, strike all material through "code," on line 19

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On page 4, line 33, after "reduce the" insert "disproportionate"

Senator Liias spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators Liias and Roach on page 4, line 14 to Substitute Senate Bill No. 5804.

The motion by Senator Liias carried and the amendment was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 5804 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Liias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5804.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5804 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Voting nay: Senator Frockt

ENGROSSED SUBSTITUTE SENATE BILL NO. 5804, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5662, by Senators Kohl-Welles, Honeyford, Braun, Mullet and Rolfes

Authorizing a licensed domestic brewery or microbrewery to provide promotional items to a nonprofit charitable corporation or association.

The measure was read the second time.

MOTION

On motion of Senator Kohl-Welles, the rules were suspended, Senate Bill No. 5662 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kohl-Welles spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5662.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5662 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Padden, Parlette, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Voting nay: Senators Dammeier, Darneille, Hargrove, O'Ban and Pearson

SENATE BILL NO. 5662, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5093, by Senators Brown, Hewitt, Mullet and Sheldon

Creating the nuclear energy education program.

MOTIONS

On motion of Senator Brown, Second Substitute Senate Bill No. 5093 was substituted for Senate Bill No. 5093 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Second Substitute Senate Bill No. 5093 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Rolfes spoke in favor of passage of the bill.

Senator McCoy spoke on final passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5093.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5093 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Kohl-Welles, Litzow, McAuliffe, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Voting nay: Senators Fraser, Frockt, Jayapal, Liias and McCoy

SECOND SUBSTITUTE SENATE BILL NO. 5093, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5113, by Senator Brown

Requiring the department of commerce to coordinate and advance the siting and manufacturing of small modular reactors

in the state to meet future energy supply, environmental, and energy security needs.

MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 5113 was substituted for Senate Bill No. 5113 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Substitute Senate Bill No. 5113 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Ericksen spoke in favor of passage of the bill.

Senators McCoy and Chase spoke against passage of the bill.

PARLIAMENTARY INQUIRY

Senator Dammeier: "Let's be clear, I was not snapping at you, I was snapping because I thought I missed my opportunity. Does the President know which agency has more small nuclear reactors than any other?"

REPLY BY THE PRESIDENT

President Owen: "Don't know if he cares."

PARLIAMENTARY INQUIRY

Senator Dammeier: "It sates Navy Mr. President."

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5113.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5113 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 1; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dangel, Ericksen, Fain, Hatfield, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick

Voting nay: Senators Billig, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Kohl-Welles, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen and Ranker

Absent: Senator Rolfes

SUBSTITUTE SENATE BILL NO. 5113, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Habib, Senator Rolfes was excused.

SECOND READING

SENATE BILL NO. 5094, by Senators Brown, Hewitt, Sheldon and Hatfield

Allowing incremental electricity produced as a result of efficiency improvements to hydroelectric generation projects whose energy output is marketed by the Bonneville power

administration to qualify as an eligible renewable resource under the energy independence act.

The measure was read the second time.

MOTION

On motion of Senator Brown, the rules were suspended, Senate Bill No. 5094 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown, Ericksen, Chase, Angel, Honeyford, Sheldon and Schoesler spoke in favor of passage of the bill.

Senators McCoy and Ranker spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5094.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5094 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Chase, Conway, Dammeier, Dangel, Darneille, Ericksen, Fain, Hargrove, Hatfield, Hewitt, Honeyford, King, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick

Voting nay: Senators Billig, Cleveland, Fraser, Frockt, Habib, Hasegawa, Hill, Hobbs, Jayapal, Keiser, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker and Rolfes

SENATE BILL NO. 5094, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5014, by Senators Honeyford and Ericksen

Concerning best practices for water banks.

The measure was read the second time.

MOTION

Senator Honeyford moved that the following striking amendment by Senators Honeyford and Hatfield be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that, unlike other basins in Washington, the Yakima basin is unique in that it has recently undergone a legal adjudication for surface water rights in the basin. In addition, the holders of junior water rights may be subject to water use curtailment. Because of the unique nature of the Yakima basin, there has been the development of an active water market for water reallocation that includes the use of the trust water right program for mitigation purposes and water banking.

(2) In adopting this act to establish standards for water banking in the Yakima basin, it is not the intent of the legislature to imply that the types of water mitigation currently used in the Yakima basin can or should be applied to other parts of Washington.

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Sec. 2. RCW 90.42.020 and 2009 c 283 s 3 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of ecology.

(2) "Local government" means a city, town, public utility district, irrigation district, public port, county, sewer district, or water district.

(3) "Net water savings" means the amount of water that is determined to be conserved and usable within a specified stream reach or reaches for other purposes without impairment or detriment to water rights existing at the time that a water conservation project is undertaken, reducing the ability to deliver water, or reducing the supply of water that otherwise would have been available to other existing water uses.

(4) "Pilot planning areas" means the geographic areas designated under RCW 90.54.045(2).

(5) "Trust water right" means any water right acquired by the state under this chapter for management in the state's trust water rights program.

(6) "Yakima basin water bank sponsor" means any person, corporation, or other entity, including a state agency, nonprofit organization, or local government, that holds a legal or beneficial interest in a trust water right from which mitigation credits will be offered for sale to other parties for domestic supply purposes in the Yakima river basin.

(7) "Water conservation project" means any project or program that achieves physical or operational improvements that provide for increased water use efficiency in existing systems of diversion, conveyance, application, or use of water under water rights existing on July 28, 1991.

NEW SECTION. Sec. 3. A new section is added to chapter 90.42 RCW to read as follows:

(1)(a) Every Yakima basin water bank sponsor shall file with the department a schedule showing the amount to be charged for a mitigation credit, including all costs and fees.

(b) The department must post the schedule received from all Yakima basin water bank sponsors on its agency internet web site.

(2) No change may be made in the amount charged, or other costs and fees to be paid, unless the Yakima basin water bank sponsor provides notice to the department at least thirty days before the change goes into effect. The notice must plainly state the changes to be made in the schedule then on file with the department and the effective date of the changes.

(3) For water banks established prior to the effective date of this section, the Yakima basin water bank sponsor must submit a schedule to the department within ninety days of the effective date of this section.

NEW SECTION. Sec. 4. A new section is added to chapter 90.42 RCW to read as follows:

(1) A Yakima basin water bank sponsor may establish a water bank for any lawful purpose and retains all authority to establish any costs, fees, or other charges for the purchase and sale of mitigation credits. This includes the authority to establish a sliding scale of charges, whereby a charge is made for mitigation based on the quantity of water use or on the services rendered as part of the water bank transaction or operations.

(2) Nothing in this section prohibits a Yakima basin water bank sponsor from establishing a water bank for specific limited purposes, such as providing mitigation credits for certain water uses or users, but not other uses or users. However, a Yakima basin water bank sponsor may not sell or otherwise provide mitigation credits to similarly situated uses or users on different prices or terms.

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NEW SECTION. Sec. 5. A new section is added to chapter 90.42 RCW to read as follows:

(1) The department shall require each Yakima basin water bank sponsor to:

(a) Demonstrate the availability of an adequate and reliable water supply to mitigate for the intended purposes for which mitigation is provided; and

(b) Record each mitigation credit with the appropriate county auditor for the parcel of land upon which the mitigation credit is used in like manner and in the same effect as provided for an original certificate or permit to divert water.

(2) The department shall ensure that new water uses for which mitigation is provided will not cause detriment or injury to existing water rights.

NEW SECTION. Sec. 6. A new section is added to chapter 90.42 RCW to read as follows:

(1) No Yakima basin water bank sponsor may use leased water to provide mitigation after January 1, 2020. Between the effective date of this section and January 1, 2020, if an adequate and reliable water supply is available for mitigation, the Yakima basin water bank sponsor must use that source instead of leased water to provide mitigation. This section does not alter, confirm, undermine, or in any way affect the rights or responsibilities of any party who received mitigation using leased water from a Yakima basin water bank sponsor prior to January 1, 2020.

(2) Any Yakima basin water bank sponsor that provided mitigation to any person using leased water must provide mitigation to that person from an adequate and reliable water supply as soon as practicable, but no later than January 1, 2020.

NEW SECTION. Sec. 7. This act may be known and cited as the Yakima basin water banking best practices act.

NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 9. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 1 of the title, after "banks;" strike the remainder of the title and insert "reenacting and amending RCW 90.42.020; adding new sections to chapter 90.42 RCW; creating new sections; and declaring an emergency."

Senator Honeyford spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Honeyford and Hatfield to Senate Bill No. 5014.

The motion by Senator Honeyford carried and the striking amendment was adopted by voice vote.

MOTION

On motion of Senator Honeyford, the rules were suspended, Engrossed Senate Bill No. 5014 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Honeyford, Hatfield, Warnick and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5014.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5014 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yeas: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

ENGROSSED SENATE BILL NO. 5014, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5347, by Senators Hobbs, Hatfield, Warnick, Honeyford and Pearson

Creating demonstration projects for preserving agricultural land and public infrastructure in flood plains.

MOTIONS

On motion of Senator Hobbs, Substitute Senate Bill No. 5347 was substituted for Senate Bill No. 5347 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hobbs moved that the following striking amendment by Senator Hobbs and others be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.23 RCW to read as follows:

(1) The legislature intends that the state conservation commission and the departments of ecology, agriculture, fish and wildlife, and natural resources work together cooperatively, efficiently, and productively to facilitate the expeditious construction of three demonstration projects. The legislature expects that the joint and contemporaneous participation of all these state agencies will expedite the permitting of these demonstration projects. The legislature further intends that the collaborative process that the stakeholder group creates, including local stakeholders among others, will be used as a model for river management throughout the state.

(2) The legislature finds that floodplain management must address multiple benefits including: Reducing flood hazard to public infrastructure and other land uses caused by sediment accumulation or for other causes; improving fish and wildlife habitat; sustaining viable agriculture; and public access.

(3) The state conservation commission and the departments of agriculture, natural resources, fish and wildlife, and ecology must jointly identify and assess three demonstration projects that test the effectiveness and costs of river management by using various

management strategies and techniques as applied to accomplish the following goals:

- (a) Protection of agricultural lands;
- (b) Restoration or enhancement of fish runs; and
- (c) Protection of public infrastructure and recreational access.

(4)(a) The state conservation commission must convene a stakeholder group consisting of the departments of agriculture, natural resources, fish and wildlife, and ecology, local and statewide agricultural organizations, land conservation organizations, and local governments with interest and experience in floodplain management techniques. The stakeholder group must develop and assess three demonstration projects, one located in Whatcom county, one located in Snohomish county, and one located in Grays Harbor county. The departments must also consult with and obtain the views of the federally recognized tribes that may be affected by each pilot project.

(b) In developing and assessing these demonstration projects, the departments must examine sediment management conducted in the Fraser river, British Columbia, Canada and include any potentially applicable practices in the demonstration projects.

(c) The departments must: (i) Examine and find whether and how the Fraser river experience applies to the goals of this act; and (ii) set benchmarks and a timetable for progress toward achievement of the goals of this act.

(d) The disposition of any gravel resources removed as a result of these pilot projects that are owned by the state must be consistent with chapter 79.140 RCW, otherwise they must be: (i) Used at the departments' discretion in projects related to fish programs in the local area of the project or by property owners adjacent to the project; (ii) made available to a local tribe for its use; or (iii) sold and the proceeds applied to funding the demonstration projects.

(5) At a minimum, the pilot projects must examine the following management strategies and techniques:

(a) Setting back levees and other measures to accommodate high flow with reduced risk to property, while providing space for river processes that are vital to the creation of fish habitat;

(b) Providing deeper, cooler holes for fish life;

(c) Removing excess sediment and gravel that causes diversion of water and erosion of river banks and farmland;

(d) Providing off-channels for habitat as refuge during high flows;

(e) Ensuring that any management activities leave sufficient gravel and sediment for fish spawning and rearing;

(f) Providing stable river banks that will allow for long-term growth of riparian enhancement efforts, such as planting shade trees and hedgerows;

(g) Protecting existing mature treed riparian zones that cool the waters;

(h) Restoring previously existing bank contours that protect the land from erosion caused by more intense and more frequent flooding; and

(i) Developing management practices that reduce the amount of gravel, sediment, and woody debris deposited into farm fields.

(6) The departments must report to the legislative committees with oversight of agriculture, water, rural economic development, ecology, fish and wildlife, and natural resources by December 31, 2015, on: (a) Their examination and findings of the applicability of the Fraser river experience to the goals of this act; (b) their progress toward setting benchmarks and meeting the stakeholder group's timetable; (c) any decisions made in assessing the projects; and (d) agency recommendations for funding of the projects from federal grants, federal loans, state grants and loans, and private donations, or if other funding sources are not available or complete, submitting the three projects for

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consideration in the biennial capital budget request to the governor and the legislature. The departments must report annually thereafter by December 31st of each year.

(7) The stakeholder group must be staffed jointly by the departments.

(8) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described."

Senator Hobbs spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Hobbs and others to Substitute Senate Bill No. 5347.

The motion by Senator Hobbs carried and the striking amendment was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "plains;" strike the remainder of the title and insert "and adding a new section to chapter 43.23 RCW."

MOTION

On motion of Senator Hobbs, the rules were suspended, Engrossed Substitute Senate Bill No. 5347 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hobbs, Warnick, McCoy and Pearson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5347.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5347 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Voting nay: Senator Dansel

ENGROSSED SUBSTITUTE SENATE BILL NO. 5347, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5688, by Senators Litzow, Rolfes, McAuliffe, Fain, Hill, Kohl-Welles, Mullet, Billig, Darneille, Jayapal and Frockt

Providing students with skills that promote mental health and well-being and increase academic performance.

MOTION

On motion of Senator Litzow, Second Substitute Senate Bill No. 5688 was substituted for Senate Bill No. 5688 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator McAuliffe moved that the following amendment by Senators McAuliffe and Litzow be adopted:

On page 3, after line 38, insert the following:

"(viii) One school social worker;

(ix) One school counselor;"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senator McAuliffe spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators McAuliffe and Litzow on page 3, after line 38 to Second Substitute Senate Bill No. 5688.

The motion by Senator McAuliffe carried and the amendment was adopted by voice vote.

MOTION

On motion of Senator Litzow, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5688 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Litzow and McAuliffe spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5688.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5688 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 15; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hill, Hobbs, Jayapal, Keiser, King, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Pedersen, Ranker, Rivers, Rolfes, Schoesler, Sheldon and Warnick

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Benton, Brown, Dammeier, Dansel, Hewitt, Honeyford, O'Ban, Padden, Parlette, Pearson and Roach

Absent: Senator Chase

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5688, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5735, by Senators Ericksen, Rivers, Angel, Baumgartner, Brown, Hewitt, Bailey, Schoesler, Parlette, Honeyford, Braun, Padden, Becker, Hatfield and Sheldon

Providing incentives for carbon reduction investments.

MOTIONS

On motion of Senator Ericksen, Substitute Senate Bill No. 5735 was substituted for Senate Bill No. 5735 and the substitute bill was placed on the second reading and read the second time.

MOTION

On motion of Senator Fain, further consideration of Substitute Senate Bill No. 5735 was deferred and the bill held its place on the second reading calendar.

POINT OF ORDER

Senator Rolfes: "I would like to withdraw my request for reconsideration of Senate Bill No. 5914 from yesterday, that's the fireworks bill."

SECOND READING

SENATE BILL NO. 5564, by Senators O'Ban, Darneille, Miloschia, Hargrove, Kohl-Welles, Fain, Jayapal, Brown, Habib, Dammeier, Frockt, Litzow, Warnick, Hasegawa and McAuliffe

Concerning the sealing of juvenile records and fines imposed in juvenile cases.

MOTION

On motion of Senator O'Ban, Second Substitute Senate Bill No. 5564 was substituted for Senate Bill No. 5564 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator O'Ban moved that the following amendment by Senators O'Ban and Darneille be adopted:

On page 6, line 10, after "restitution" insert "owing to the individual victim named in the charging document"

On page 7, line 6, after "(vi)" strike "Full restitution has been paid" and insert "((Full restitution has been paid)) The person has paid the full amount of restitution owing to the individual victim named in the charging document"

On page 7, line 23, after "(v)" strike "Full restitution has been paid" and insert "((Full restitution has been paid)) The person has paid the full amount of restitution owing to the individual victim named in the charging document"

On page 8, line 11, after "individual." insert "The department of licensing may release information related to records the court has ordered sealed only to the extent necessary to comply with federal law and regulation."

On page 9, after line 2, insert the following:

"Sec. 4. RCW 46.52.130 and 2012 c 74 s 6 and 2012 c 73 s 1 are each reenacted and amended to read as follows:

Upon a proper request, the department may furnish an abstract of a person's driving record as permitted under this section.

(1) **Contents of abstract of driving record.** An abstract of a person's driving record, whenever possible, must include:

(a) An enumeration of motor vehicle accidents in which the person was driving, including:

(i) The total number of vehicles involved;

(ii) Whether the vehicles were legally parked or moving;

(iii) Whether the vehicles were occupied at the time of the accident; and

(iv) Whether the accident resulted in a fatality;

(b) Any reported convictions, forfeitures of bail, or findings that an infraction was committed based upon a violation of any motor vehicle law;

(c) The status of the person's driving privilege in this state; and

(d) Any reports of failure to appear in response to a traffic citation or failure to respond to a notice of infraction served upon the named individual by an arresting officer.

(2) **Release of abstract of driving record.** An abstract of a person's driving record may be furnished to the following persons or entities:

(a) **Named individuals.** (i) An abstract of the full driving record maintained by the department may be furnished to the individual named in the abstract.

(ii) Nothing in this section prevents a court from providing a copy of the driver's abstract to the individual named in the abstract, provided that the named individual has a pending or open infraction or criminal case in that court. A pending case includes criminal cases that have not reached a disposition by plea, stipulation, trial, or amended charge. An open infraction or criminal case includes cases on probation, payment agreement or subject to, or in collections. Courts may charge a reasonable fee for the production and copying of the abstract for the individual.

(b) **Employers or prospective employers.** (i)(A) An abstract of the full driving record maintained by the department may be furnished to an employer or prospective employer or an agent acting on behalf of an employer or prospective employer of the named individual for purposes related to driving by the individual as a condition of employment or otherwise at the direction of the employer.

(B) Release of an abstract of the driving record of an employee or prospective employee requires a statement signed by: (I) The employee or prospective employee that authorizes the release of the record; and (II) the employer attesting that the information is necessary for employment purposes related to driving by the individual as a condition of employment or otherwise at the direction of the employer. If the employer or prospective employer authorizes an agent to obtain this information on their behalf, this must be noted in the statement.

(C) Upon request of the person named in the abstract provided under this subsection, and upon that same person furnishing copies of court records ruling that the person was not at fault in a motor vehicle accident, the department must indicate on any abstract provided under this subsection that the person was not at fault in the motor vehicle accident.

(ii) In addition to the methods described in (b)(i) of this subsection, the director may enter into a contractual agreement with an employer or its agent for the purpose of reviewing the driving records of existing employees for changes to the record during specified periods of time. The department shall establish a fee for this service, which must be deposited in the highway safety fund. The fee for this service must be set at a level that will not result in a net revenue loss to the state. Any information provided under this subsection must be treated in the same manner and is subject to the same restrictions as driving record abstracts.

(c) **Volunteer organizations.** (i) An abstract of the full driving record maintained by the department may be furnished to a volunteer organization or an agent for a volunteer organization for which the named individual has submitted an application for a position that would require driving by the individual at the direction of the volunteer organization.

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(ii) Release of an abstract of the driving record of a prospective volunteer requires a statement signed by: (A) The prospective volunteer that authorizes the release of the record; and (B) the volunteer organization attesting that the information is necessary for purposes related to driving by the individual at the direction of the volunteer organization. If the volunteer organization authorizes an agent to obtain this information on their behalf, this must be noted in the statement.

(d) **Transit authorities.** An abstract of the full driving record maintained by the department may be furnished to an employee or agent of a transit authority checking prospective volunteer vanpool drivers for insurance and risk management needs.

(e) **Insurance carriers.** (i) An abstract of the driving record maintained by the department covering the period of not more than the last three years may be furnished to an insurance company or its agent:

(A) That has motor vehicle or life insurance in effect covering the named individual;

(B) To which the named individual has applied; or

(C) That has insurance in effect covering the employer or a prospective employer of the named individual.

(ii) The abstract provided to the insurance company must:

(A) Not contain any information related to actions committed by law enforcement officers or firefighters, as both terms are defined in RCW 41.26.030, or by Washington state patrol officers, while driving official vehicles in the performance of their occupational duty. This does not apply to any situation where the vehicle was used in the commission of a misdemeanor or felony;

(B) Include convictions under RCW 46.61.5249 and 46.61.525, except that the abstract must report the convictions only as negligent driving without reference to whether they are for first or second degree negligent driving; and

(C) Exclude any deferred prosecution under RCW 10.05.060, except that if a person is removed from a deferred prosecution under RCW 10.05.090, the abstract must show the deferred prosecution as well as the removal.

(iii) Any policy of insurance may not be canceled, nonrenewed, denied, or have the rate increased on the basis of information regarding an accident included in the abstract of a driving record, unless the policyholder was determined to be at fault.

(iv) Any insurance company or its agent, for underwriting purposes relating to the operation of commercial motor vehicles, may not use any information contained in the abstract relative to any person's operation of motor vehicles while not engaged in such employment. Any insurance company or its agent, for underwriting purposes relating to the operation of noncommercial motor vehicles, may not use any information contained in the abstract relative to any person's operation of commercial motor vehicles.

(v) The director may enter into a contractual agreement with an insurance company or its agent for the limited purpose of reviewing the driving records of existing policyholders for changes to the record during specified periods of time. The department shall establish a fee for this service, which must be deposited in the highway safety fund. The fee for this service must be set at a level that will not result in a net revenue loss to the state. Any information provided under this subsection must be treated in the same manner and is subject to the same restrictions as driving record abstracts.

(f) **Alcohol/drug assessment or treatment agencies.** An abstract of the driving record maintained by the department covering the period of not more than the last five years may be furnished to an alcohol/drug assessment or treatment agency

approved by the department of social and health services to which the named individual has applied or been assigned for evaluation or treatment, for purposes of assisting employees in making a determination as to what level of treatment, if any, is appropriate, except that the abstract must:

(i) Also include records of alcohol-related offenses, as defined in RCW 46.01.260(2), covering a period of not more than the last ten years; and

(ii) Indicate whether an alcohol-related offense was originally charged as a violation of either RCW 46.61.502 or 46.61.504.

(g) **City attorneys and county prosecuting attorneys.** An abstract of the full driving record maintained by the department, including whether a recorded violation is an alcohol-related offense, as defined in RCW 46.01.260(2), that was originally charged as a violation of either RCW 46.61.502 or 46.61.504, may be furnished to city attorneys or county prosecuting attorneys. City attorneys and county prosecuting attorneys may provide the driving record to alcohol/drug assessment or treatment agencies approved by the department of social and health services to which the named individual has applied or been assigned for evaluation or treatment.

(h) **State colleges, universities, or agencies, or units of local government.** An abstract of the full driving record maintained by the department may be furnished to (i) state colleges, universities, or agencies for employment and risk management purposes or (ii) units of local government authorized to self-insure under RCW 48.62.031 for employment and risk management purposes.

(i) **Superintendent of public instruction.** An abstract of the full driving record maintained by the department may be furnished to the superintendent of public instruction for review of public school bus driver records. The superintendent or superintendent's designee may discuss information on the driving record with an authorized representative of the employing school district for employment and risk management purposes.

(3) **Release to third parties prohibited.** Any person or entity receiving an abstract of a person's driving record under subsection (2)(b) through (i) of this section shall use the abstract exclusively for his, her, or its own purposes or as otherwise expressly permitted under this section, and shall not divulge any information contained in the abstract to a third party.

(4) **Fee.** The director shall collect a thirteen dollar fee for each abstract of a person's driving record furnished by the department. Fifty percent of the fee must be deposited in the highway safety fund, and fifty percent of the fee must be deposited according to RCW 46.68.038.

(5) **Violation.** (a) Any negligent violation of this section is a gross misdemeanor.

(b) Any intentional violation of this section is a class C felony.

(6) The contents of a driving abstract pursuant to this section shall not include any information related to sealed juvenile records unless that information is required by federal law or regulation."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 9, at the beginning of line 38, strike "for good cause shown, including inability to pay"

On page 10, line 23, after "provider" strike all material through "period" on line 25 and insert "~~((and could not reasonably acquire the means to pay the insurance provider the restitution over a ten year period))~~"

On page 11, line 12, after "of" strike "or relief from" and after "order" insert "for good cause shown, including inability to pay"

On page 37, line 9, after "restitution" strike "ordered" and insert "~~((ordered))~~ owing to the individual victim named in the charging document"

The President declared the question before the Senate to be the adoption of the amendment by Senators O'Ban and Darneille on page 6, line 10 to Second Substitute Senate Bill No. 5564.

The motion by Senator O'Ban carried and the amendment was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 9 of the title, after "13.50.010" insert ", 46.52.130,"

MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5564 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators O'Ban and Darneille spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5564.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5564 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Voting nay: Senator Padden

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5564, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate resumed consideration of Substitute Senate Bill No. 5735 which was deferred earlier in the day.

MOTION

Senator McCoy moved that the following amendment by Senator Habib be adopted:

On page 1, after line 3, insert the following:

"NEW SECTION. Sec. 1. The legislature finds that climate change is real and that human activity significantly contributes to climate change. The legislature further finds that climate change is harming the state and that without substantial reductions in greenhouse gas emissions the harm to the state will be greatly increased. While Washington's emissions are only a small part of the global emissions of greenhouse gases, the state must act to reduce its own emissions while providing leadership and a model for action by other jurisdictions to address their own

emissions. The 2008 legislature established statewide emission limits that are to be achieved by 2020, 2035, and 2050, but did not enact a comprehensive set of measures to ensure that the emission reductions would be accomplished. It is the intent of the 2015 legislature that action be taken to reduce emissions from all sectors."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 2, after "investments;" strike "and" and after "19.285.040" insert "; and creating a new section"

MOTION

On motion of Senator Fain, the Senate reverted to the fourth order of business.

POINT OF ORDER

Senator Ericksen: "Thank you Mr. President. I request a ruling on scope and object on this amendment. The underline legislation deals with clean energy investments in Washington State and creating alternative compliant mechanisms to Initiative 937. He amendment does not deal with the substance or the mechanics of the underline legislation incorporates ideas not included in the underline bill and I believe it's not necessary nor included in the scope or object of the underline legislation."

POINT OF ORDER

Senator Hatfield: "Mr. President, I believe we are addressing amendment number 152 sponsored by Senator Habib."

Senator McCoy spoke against the point of order by Senator Erickson.

MOTION

On motion of Senator Fain, further consideration of Engrossed Substitute Senate Bill No. 5735 was deferred and the bill held its place on the second reading calendar.

MESSAGE FROM THE HOUSE

March 5, 2015

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1174,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1449,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1571,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1763,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1836.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

At 1:17 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 a.m. Monday, March 9, 2015.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

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